

**VIRGINIA BOARD OF NURSING
MINUTES
JULY 15, 2003**

TIME AND PLACE: The meeting of the Board of Nursing was called to order at 9:20 A.M. on July 15, 2003 in Conference Room 2, Department of Health Professions, 6603 West Broad Street, Richmond, Virginia.

PRESIDING: Janet B. Younger, R.N., P.N.P., Ph.D., President

BOARD MEMBERS PRESENT: Linda Ault, R.N., M.S.N., Vice President
Louise D. Hartz, Citizen Member, Secretary
Marion Alderman, Citizen Member
Lynne E. Cooper, Citizen Member
Greg J. Huber, R.N., M.S.N.
Carol E. King, L.P.N., M.S.
Louisa Lief, R.N., M.S.
Denise Oppenhagen, R.N., B.S.N.
Judith E. Piersall, R.N., B.S.N.
Julia C. Semple, L.P.N.
JoAnn Tillett, R.N.
Diane Tramel, L.P.N.

STAFF PRESENT: Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director
Jodi P. Power, R.N., J.D., Deputy Executive Director, Nurse Aide Registry Manager
Jessica Ressler, R.N., Nursing Education Consultant
Susan Bell Rosen, R.N., F.N.P., J.D., Deputy Executive Director, Discipline
Paula B. Saxby, R.N., Ph.D., Deputy Executive Director, Education
Amy Davis, Administrative Assistant

OTHERS PRESENT: Robert Nebiker, Director, Department of Health Professions
Gail Jaspen, Deputy Director, Department of Health Professions
Elaine Yeatts, Regulatory Analyst, Department of Health Professions

ANNOUNCEMENTS: Greg Huber and Judith Piersall were welcomed as new Board Members. Jessica Ressler, Nursing Education Consultant was introduced as a new staff member. Board Members and staff introduced themselves.

The Board recognized Diane Tramel, L.P.N. for her service to the Board. Recognition of Board Member service this evening.

NCSBN annual meeting will take place August 5 -9, 2003 in Alexandria.

The next Committee of the Joint Boards of Nursing and Medicine is scheduled for August 27, 2003.

DIALOGUE WITH
MR. NEBIKER:

Mr. Nebiker reported on the following activities:

- The guidance document regarding mandatory reporting requirements is near completion. Presentations have been scheduled for August 1, 2003 in Marion, August 4 in Charlottesville, August 12 in Newport News and August 27 in Winchester.
- The agency is waiting for approval for hire additional staff as a result of HB 1441.
- Confidential Consent Agreement requests have been received by two Boards and have been rejected.
- The Department of Health Professions has developed 2004 legislative proposal.
- Collection of emergency contact information from RN's, LPN's and NP's will begin soon for health department use in emergency situations.
- On-line license renewal is expected be available in the next few months and will include workforce data.
- Additional increase of fees anticipated due to loss of revenue regarding nurse licensure compact. Governor desires to incorporate increase with emergency regulations for HB 1441.
- Departmental new Board Member orientation is scheduled for this fall.

ORDERING OF AGENDA: The agenda was reviewed and ordered.

CONSENT AGENDA: The Board removed three items from the proposed consent agenda and adopted a motion by Ms. Hartz to accept the consent agenda which includes:

Minutes:

May 12, 2003 – Dr. Younger

May 13, 2003 – Ms. Ault

May 29, 2003 – Telephone Conference Call

Finance Report

Open Cases Report

Case Summary Report

Case Standard Report

License Count Report

Examinations: NNAAP

NCLEX

Probation Completed

Successful Completion of Health Practitioners Intervention Program

REPORTS:

Board of Health Professions:

There has not been a meeting to issue a report from.

Health Practitioners Intervention Program:

Ms. Douglas reviewed the statistics that were distributed and the information was accepted as presented.

Virginia Association of Professional Nurse Aides Advanced CNA Celebration:

Ms. King reported that she represented the Board at this function.

Nursing Practice Advisory Committee:

Ms. Ault reported on the information from the last meeting. The Board Members assigned to this committee will meet a future date to finalize suggested changes to guidance documents.

Mr. Nebiker and Ms. Jaspen left the meeting.

OTHER MATTERS:

Request for accommodation for examination:

CLOSED SESSION:

Ms. Hartz moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(28) of the *Code of Virginia* at 11:05 A.M. in the matter of a request for accommodation for examination. Additionally, Ms. Hartz moved that Ms. Douglas, Dr. Saxby, Ms. Power, Ms. Rosen, Ms. Ressler and Ms. Davis attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 11:20 A.M.

Ms. Hartz moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Celelia A. Gallagher

Ms. Lief moved to grant extra time of three hours over one day and a separate room to take the NCLEX-PN exam.

The motion was seconded and carried. Ms. Hartz, Ms. Piersall and Ms. Tramel voted no. Mr. Huber abstained.

Ms. Jaspen re-joined the meeting.

OTHER MATTERS
CONTINUED:

Confidential Consent Agreements:

Ms. Jaspen and Ms. Power summarized the activity of the Department's committee to look at documents to be used and processes for use regarding CCA's.

Ms. Jaspen left the meeting.

RN Scope of Practice – Botox Injections and Dermabrasion:

Ms. Rosen presented a summary and examples of position statements from other state boards of nursing. The Board took no position on this subject.

Consideration of Guidance Document – Accommodation Requests:

Dr. Saxby presented information. Ms. Hartz moved to accept the proposed guidance document as amended by the Board.

The motion was seconded and carried unanimously.

RECESS: The Board recessed at 12:06 P.M.

RECONVENTION: The Board reconvened at 1:20 P.M.

Consideration of NCSBN Delegate Assembly business:

Ms. Tramel voted to give support to Delegates Dr. Younger and Ms. Hartz and alternates Ms. Ault and Ms. Douglas to vote on behalf of the Board.

Workforce Data Collection:

Dr. Saxby presented information from the initial survey responses from nursing programs. Annual reports are due July 15, 2003 and will include additional workforce data collection questions. Dr. Saxby also asked for Board Member input regarding workforce data to be collected during on-line license renewal. The Board requested staff to utilize similar data elements as the Virginia Tech survey and request input from other interested parties.

On-line License Renewal:

Ms. Power described the options of on-line renewal system being developed.

NCSBN Delegate Assembly:

Ms. Douglas reviewed information regarding the activity being hosted by the Virginia Board of Nursing.

NCLEX Review:

Dr. Saxby provided information that Board Members have the opportunity to participate in a review of the NCLEX examination process.

REGULATIONS: **2004 Legislation Proposal:**
See attached.

Ms. Hartz moved to support proposed legislation of DHP #1.
The motion was seconded and carried unanimously.

Ms. Hartz moved to support proposed legislation of DHP #2.
The motion was seconded and carried unanimously.

EDUCATION
PROGRAMS: The Board considered the recommendations of the Education Special Conference Committee from its meeting on July 14, 2003.

Ms. Oppenhagen moved that the Board of Nursing adopt the recommendations.
The motion was seconded and carried unanimously.

CLOSED SESSION: Ms. Hartz moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 1:40 P.M. for the purpose of consideration and discussion of consent orders. Additionally, Ms. Hartz moved that Ms. Douglas, Dr. Saxby, Ms. Power, Ms. Rosen, Ms. Ressler and Ms. Davis attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 1:55 P.M.

Ms. Hartz moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

CASE ADJUDICATION:

Consent Orders:

Michelle G. Ford, R.N. 0001-135168

Ms. Oppenhagen moved to accept the Consent Order for indefinite suspension of Ms. Ford's license to practice as a registered nurse.

The motion was seconded and carried unanimously.

This Consent Order shall be effective upon entry by the Board stating the findings, conclusions and decisions.

Vernice French, L.P.N., R.N. 0002-037298 0001-175405

Ms. Tramel moved to accept the Consent Order for indefinite suspension of Ms. French's license to practice as a registered nurse and for the indefinite suspension of Ms. French's right to renew her license as a practical nurse.

The motion was seconded and carried unanimously.

This Consent Order shall be effective upon entry by the Board stating the findings, conclusions and decisions.

Jacqueline F. Holland, C.N.A. 1401-084595

Ms. Alderman moved to accept the Consent Order of revocation with a single finding of neglect of Ms. Holland's certificate to practice as a nurse aide.

The motion was seconded and carried unanimously.

This Consent Order shall be effective upon entry by the Board stating the findings, conclusions and decisions.

Barbara P. Velvin, R.N. Reinstatement 0001-102515

Ms. Lief moved to accept the Consent Order for reinstatement with terms of Ms. Velvin's license to practice as a registered nurse in Virginia.

The motion was seconded and carried unanimously.

This Consent Order shall be effective upon entry by the Board stating the findings, conclusions and decisions.

ADJOURNMENT:

The meeting was adjourned at 2:10 P.M.

Louise Hartz, Citizen Member
Secretary